

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

*In re Dealer Management Systems Antitrust  
Litigation, MDL 2817*

No. 1:18-CV-864

*This document relates to:*

Hon. Robert M. Dow, Jr.

*ALL CASES*

Magistrate Judge Jeffrey T. Gilbert

**DECLARATION OF ROSS MACDONALD**

My name is Ross MacDonald. I am an attorney and counsel of record for The Reynolds and Reynolds Company (“Reynolds”) in the above-captioned MDL. I am over the age of 18, of sound mind, and capable of making this declaration. I am familiar with the pleadings and discovery in this case. I declare under penalty of perjury that the facts stated in this declaration are within my personal knowledge and are true and correct.

Included as Exhibits to Defendants’ Memorandum of Law in Opposition to Plaintiffs’ Motion to Exclude the Expert Testimony of Daniel L. Rubinfeld are the following documents produced or generated as part of discovery in the above-captioned MDL.

- Exhibit 1 is a true and correct copy of the deposition transcript of Catharine Lawton, dated January 8, 2020.
- Exhibit 2 is a true and correct copy of correspondence from Michael Nemelka, counsel for the individual plaintiffs, to Leo Caseria, counsel for Reynolds, dated July 27, 2018.
- Exhibit 3 is a true and correct copy of Authenticom’s Polling Active Orders spreadsheet (AUTH\_00446876).
- Exhibit 4 is a true and correct copy of excerpts of the deposition transcript of William Munns, dated December 21, 2018.

- Exhibit 5 is a true and correct copy of correspondence from Leo Caseria, counsel for Reynolds, to Michael Nemelka and Peggy Wedgworth, counsel for various plaintiffs, dated June 5, 2018.
- Exhibit 6 is a true and correct copy of excerpts of the deposition transcript of Brian Clements, dated October 24, 2018.
- Exhibit 7 is a true and correct copy of excerpts of the deposition transcript of Mark Johnson, the corporate representative of Continental Motors, dated February 28, 2019.
- Exhibit 8 is a true and correct copy of the Dealership Plaintiffs Amended Objections and Responses to CDK Global's First Set of Interrogatories, and the exhibits thereto.
- Exhibit 9 is a true and correct copy of email correspondence between Linda Johnston of Authenticom and Linda Smith of Cliff Harris from March 2017 (CLIFF\_HARRIS0006674).
- Exhibit 10 is a true and correct copy of CDK Global's Third Party Access Program Services and Pricing Guide (CDK-0209891).
- Exhibit 11 is a true and correct copy of excerpts of the deposition transcript of Joseph Noth, a corporate representative of Authenticom, Inc, dated April 12, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 29, 2020



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Ross MacDonald